

Reply to Final Under 37 CFR §1.116
Attorney Docket No.: KMG1097-US1
U.S. Serial No.: 10/670,981

REMARKS

Applicants have carefully reviewed and considered the current Office Action and the reference(s) cited therein. Claims 28 and 29 are herein amended; no claims are herein canceled; and no claims are herein added. As a result, Claims 12-14, 28, and 29 are pending in this application.

Applicants thank the Examiner for the courtesy of a telephone interview on April 11, 2006. No agreement was reached. The Examiner and Applicants appear to disagree as to the meaning of "removable" and "removably attached."

Claim Objections

The Examiner has objected to Claims 28 and 29, asserting the following informalities and requiring appropriate correction:

In claim 28, line 3, "the body section" should be "each body section".

In claim 29, line 1, the phrase "where in the removable liners are" should be replaced with the phrase "whercin each of the removable liners is".

The Examiner has also objected to Claims 28 and 29 under 37 C.F.R. §1.75(i) and has required appropriate correction.

The Examiner's objections are well taken and most of the Examiner's suggestions have been herein adopted. However, Applicants contend that the phrase "*the* body section" (emphasis added) is appropriate because the phrase refers to "*a* substantially cylindrical body section" (emphasis added) of each component. This is made more clear in amended Claim 28, which has been herein amended as required by the Examiner pursuant to 37 C.F.R. §1.75(i). Applicants have also herein amended Claim 29 as suggested by the Examiner.

Claim Rejections – 35 U.S.C. §112

The Examiner has rejected Claims 28 and 29 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner asserts:

In claim 28, lines 3-5, the use of "or" renders the claim indefinite. In lines 3-4, the phrase "each component including a tangential inlet or outlet" erroneously allows for each component to have an inlet, or for each component to have an outlet. In lines 4-5, it is unclear as to which inlet or outlet the phrase "the tangential inlet or tangential outlet containing a removable liner" refers; there is an inlet or outlet on each component.

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Each substantially-identical component includes a "tangential inlet/outlet." Specification, page 2, lines 12-16. Claim 28 has been herein amended to replace "tangential inlet or tangential outlet" with "tangential inlet/outlet." Because the components are substantially-identical, a tangential inlet/outlet can be used as an inlet or, alternately, as an outlet. That is, the two inlet/outlets are structurally identical. It is only when the piping elbow is in use and fluid is flowing through the elbow that one inlet/outlet becomes an inlet and the other inlet/outlet becomes an outlet. Applicants contend that Claims 28 and 29 comply with 35 U.S.C. §112.

Applicants respectfully request that the Examiner enter the amendments made herein. Applicants contend that the amendments do not affect the scope of the claims and comply with 37 C.F.R. §1.116(b)(1) & (b)(2).

Rejection of Claims 12 and 13 under 35 U.S.C. §102

The Examiner has rejected Claims 12 and 13 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,301,651 issued to Cocchiara et al ("Cocchiara"). Applicants respectfully traverse this rejection.

The Examiner has adopted a definition of "removable" and "removably attached" as put forth in the Examiner's description of Cocchiara on page 4 of the current Office Action:

The first end (37) and second end (38) are said to be welded to the reactor. The ends are considered removable insofar as they can be removed by a given means, e.g. a cutting means. Similarly, the liners are considered removable insofar as they could be removed by force.

Applicants contend this is not an appropriate interpretation of "removable" or "removably attached." The present specification makes it clear that an end of a substantially-cylindrical body is removably attached so that it can be removed to inspect or clean the interior of the body and to inspect, clean, or replace a liner. Damaging or destroying the body by using a cutting means would defeat the purpose of inspecting the body. When one inspects a body, one hopes to find no damage so the body does not have to be repaired or replaced. One of ordinary skill in the art would not damage the body using a cutting means so as to inspect the body for damage. Similarly, a removable liner is one that can be removed for inspection without damaging the liner while removing it.

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Applicants contend that Cocchiara does not teach or suggest a removably attached end or a removable liner as required in Claim 12. Accordingly, Applicants respectfully request this rejection be withdrawn.

Rejection of Claim 14 under 35 U.S.C. §103

The Examiner has rejected Claim 14 under 35 U.S.C. §103(a) as being unpatentable over Cocchiara in view of U.S. Patent No. 4,554,721 issued to Carty et al ("Carty"). Applicants respectfully traverse this rejection.

The Examiner cites Carty for the purpose of asserting that fabricating liners from ceramic would be obvious. Neither Cocchiara nor Carty, taken alone or in combination, teach or suggest a removably attached end or a removable liner as required in Claim 12 from which Claim 14 depends. Accordingly, Claim 14 is patentable over the cited combination of references for the same reasons stated above and Applicants respectfully request that this rejection be withdrawn.

Rejection of Claim 28 under 35 U.S.C. §103

The Examiner has rejected Claim 28 under 35 U.S.C. §103(a) as being unpatentable over Cocchiara in view of U.S. Patent No. 255,427 issued to Forman ("Forman"). Applicants respectfully traverse this rejection.

Similar to the discussion above, neither Cocchiara nor Forman teach or suggest a removable liner. Moreover, it is not clear that Cocchiara and Forman are even properly combinable. The motivation for combining art must come from the art itself. Cocchiara does not suggest the need or even a benefit from having two substantially-identical components let alone two substantially-identical components that are removably attached to each other. Thus, the primary reference (i.e., Cocchiara) provides no motivation to combine with Forman. Additionally, there are significant differences between Forman and the present invention as well as Cocchiara. Forman does not teach or suggest a substantially-cylindrical body section or a tangential inlet/outlet. The two shells in Forman appear to form a sphere and the "tubular branch portions" are not tangential as required by the present claims. Figure 2 and the accompanying text indicates that at least one of the shells (i.e., A) has two "tubular branch portions." In Figure 2, it appears that shell A is provided with both C and C2. The accompanying text at lines 11-14 states: "Fig. 2, a front elevation, showing one of the shells provided with two short tubular

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branch portions to receive the pipes." It is not at all clear whether the other shell (i.e., B) has two tubular branch portions or only one. Of course, if shell B has only one tubular branch portion, then the two shells are not even close to being identical.

The cited art is not properly combinable and, even if combined, they do not teach or suggest one or more limitations of the present claims. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Rejection of Claim 29 under 35 U.S.C. §103

The Examiner has rejected Claim 29 under 35 U.S.C. §103(a) as being unpatentable over Cocchiara in view of Forman as applied to Claim 28 above, and further in view of Carty. Applicants respectfully traverse the rejection.

Claim 29 depends from Claim 28 and, therefore, contains all the limitations of Claim 28. Applicants contend that Claim 29 is patentable over Cocchiara in view of Forman for the same reasons stated above with respect to Claim 28. Carty is cited for the purpose of asserting that fabricating liners from ceramic would be obvious. Thus, Carty does not teach or suggest the limitations discussed above (i.e., removable liners and removably attached components).


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CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance and notification to that effect is earnestly requested. If the Examiner believes that a telephone conversation with the Applicants' representative would facilitate prosecution of this application in any way, the Examiner is cordially invited to telephone the undersigned at (508) 303-2003. If necessary, please apply any additional fees, or credit overpayments, to Deposit Account 50-3798.

Respectfully submitted,

Date: April 28, 2006
Reg. No.: 37,548



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The undersigned hereby certifies that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service, with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Stanley K. Hill

Date: April 28, 2006

